**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

WEDNESDAY, THE EIGHTH DAY OF JUNE TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MRS JUSTICE T.MEENA KUMARI**

**&**
**THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY**

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**WRIT APPEAL NO : 969 of 2005**

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 17/03/2005 in WP NO :18392 OF 1999 on the file of the High Court.)

Between:

The Depot Manager, APSRTC, Peduru, Visakhapatnam District.

**..... APPELLANT**

AND

1 The Industrial Tribunal-cum-Labour Court, rep. by its Presideing Officer, Visakhapatnam.
2 Ch. Nook Raju, S/o. Ramulu,
I.T.D.A. Colony, Padeuru, Visakahapatnam District.

**.....RESPONDENTS**

**Counsel for the Appellant:KUM.B.G.UMA DEVI**
**Counsel for the Respondent No.1.: GP FOR LABOUR**

**The Court made the following :**

JUDGMENT: (per Honourable Smt. Justice T. Meena Kumari)

This writ appeal is filed by the appellant herein aggrieved by the order passed by this Court in WP NO.18392 of 1999, dated 17.03.2005.

The appellant herein is the writ petitioner.

Originally, the writ petitioner filed the above writ petition seeking a direction in the nature of writ of Certiorari or direction to set aside the award in I.D.No.107 of 1996, dated 28.1.1999 and the notification published in G.O.Rt.No.545, dated 27.3.1999 as they are illegal and arbitrary. The learned Single Judge having observed that

there is a relationship of employer and employee between the petitioner and the 2nd respondent and having followed the orders in Writ Petition No.24326 of 1999, dismissed the writ petition. Aggrieved by the same, the writ petitioner preferred the present appeal.

Heard the learned Counsel on either side.

We have perused the order impugned and the entire material available on record.

The learned Counsel for the appellant contended that the 2nd respondent- workman never employed either on temporary basis or on casual basis and therefore, the award passed by the Tribunal directing the reinstatement of the 2nd respondent is liable to be set aside. He further contends that there was no relationship of employer and employee between the writ petitioner and the 2nd respondent.

A perusal of the order of the learned single Judge as well as the learned Industrial Tribunal goes to show that there exists a relationship of employer and employee between the appellant and the 2nd respondent.

In the facts and circumstances of the case and in view of the fact that there exists relationship of employer and employee, we do not find any reason to interfere with the orders of the learned Single Judge.

Accordingly, the Writ Appeal is dismissed. No order as to costs.

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Justice T.Meenakumari

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Justice P. Lakshmana Reddy

Dated: 8th June, 2005.

Nn/Gurc.

Copy to:

1. The Presiding Officer, Industrial Tribunal-cum-Labour Court, Visakhapatnam.
2. Two C.Cs to G.P. for Labour, High Court Buildings, Hyderabad (O.U.T)
3. Two C.D. copies.